

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-CV-00950-LO-JFA

(Hearing and Oral Argument Waived)

**REQUEST FOR AN ORDER ALLOWING PLAINTIFFS TO SUBMIT ELECTRONIC  
COPIES OF CERTAIN TRIAL EXHIBITS TO THE CLERK OF THE COURT**

Plaintiffs Sony Music Entertainment, et al., respectfully move for an order for leave to file certain trial exhibits electronically on a hard drive, rather than in hard copy.

Local Rule 79(A) requires “[i]n all civil actions, unless otherwise ordered by the Court, the party intending to offer exhibits at trial shall place them in a binder, properly tabbed, numbered, and indexed, and the original and two (2) copies shall be delivered to the Clerk, with copies in the same form to the opposing party, one (1) business day before the trial.”

However, many of Plaintiffs’ trial exhibits are not in a form amenable to filing in hard copy form. For example, many of Plaintiffs’ exhibits are spreadsheets or are otherwise voluminous, and as such would span hundreds or thousands of pages if provided in hard copy. A hard copy form would also hinder filtering and analyzing the data contained in the spreadsheets using Excel software. Other files are music files that are simply impossible to transform to hard copy.

The specific files which Plaintiffs propose to provide in electronic form include: PX-011, PX-013, PX-014, PX-016 – PX-019, PX-023, PX-026, PX-032 – PX-034, PX-039 – PX-162,

PX-201, PX-215, PX-247, PX-257, PX-269, PX-450, PX-459, PX-461, PX-463, PX-465 – PX-474, PX-476, PX-477, PX-482, PX-483, PX-485, PX-517, and PX-534 – PX-540.

In addition, in light of the Court's summary judgment ruling on Plaintiffs' ownership of the works-in-suit, Plaintiffs do not intend to offer proposed exhibits PX-600 – PX-9647 in their affirmative case. Accordingly, Plaintiffs do not intend to include these nearly 8800 exhibits, spanning tens of thousands of pages of copyright registration and ownership information, in their submission of exhibits to the Court.

Therefore, Plaintiffs respectfully request the Court allow Plaintiffs to file the above-indicated exhibits in electronic form on a hard drive for filing with the judicial record in this matter. A proposed order permitting the relief sought is included herein.

Dated: November 25, 2019

Respectfully submitted,

/s/ Scott A. Zebrak

Scott A. Zebrak (38729)

Matthew J. Oppenheim (*pro hac vice*)

Jeffrey M. Gould (*pro hac vice*)

OPPENHEIM + ZEBRAK, LLP

5225 Wisconsin Avenue, NW, Suite 503

Washington, DC 20015

Tel: 202-480-2999

[matt@oandzlaw.com](mailto:matt@oandzlaw.com)

[scott@oandzlaw.com](mailto:scott@oandzlaw.com)

[jeff@oandzlaw.com](mailto:jeff@oandzlaw.com)

*Attorneys for Plaintiffs*